

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:140 3-JDF-5A-13
CHAPTER: Detention Services		AUTHORITY: KRS 15A.065
SUBJECT: Revocation of Youth in Alternative to Secure Detention Programs		
POLICY NUMBER: DJJ 704.2		
TOTAL PAGES: 2		
DATE ISSUED: July 15, 2005		EFFECTIVE DATE: 02/03/06
APPROVAL: Bridget Skaggs Brown		, COMMISSIONER

I. POLICY

A youth participating in the Alternative to Secure Detention Program shall comply with the written terms and conditions agreed to as a condition of participation. Failure to comply with written terms and conditions may result in a step up to a more restrictive alternative program or secure detention.

II. APPLICABILITY

This policy shall apply to all Detention Alternative Coordinators.

III. DEFINITIONS

- A. "Minor Violations" include leaving a scheduled place early, returning late from scheduled leave, or violating curfew from 1 to 15 minutes.
- B. "Major Violations" include the following:
 1. A new public charge;
 2. Destruction of or failure to maintain issued equipment;
 3. Violation of a court order;
 4. Failure to appear at a court hearing; or
 5. Being absent without leave. (Reference DJJPP 712).

IV. PROCEDURES

- A. The Office of the Commissioner shall, through the Director of the Placement Services Division, establish Standard Operating Procedures to provide for graduated sanctions based on the evaluation of the youth's compliance with the terms of the alternative to secure detention placement. These procedures shall include, but not be limited to:
 1. A code of sanctions for minor violations through means such as stepping up the required contacts, further house restrictions, written reprimand placed in the Individual Client Record (ICR), etc.

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2. Procedures for staff response to a youth in alternative to secure detention placement who is absent without leave, to include but not be limited to:
 - a. Requesting a bench warrant from the court;
 - b. Contacting appropriate law enforcement;
 - c. Filing appropriate charges against the youth; and
 - d. Completing an incident report.
3. Requirement for the immediate return to secure custody of a youth who has committed a major violation unless the youth is a status offender in predisposition status, a youth under age eleven (11), or there are other exceptional circumstances.
4. Procedures for stepping a youth up to a more restrictive program, including return to secure detention. Youth AWOL from an Alternative to Secure Detention Program who turn themselves into the Regional Juvenile Detention Center shall be held in secure detention. A return to secure detention may result in the youth remaining in secure detention until the next scheduled court appearance.
5. Allowance for a youth returned to secure detention to be considered for placement in another custody option if there are special circumstances that would support this decision. Such circumstances shall be documented in writing and placed in the youth's file.
6. Procedures for the filing of charges, to include but not be limited to:
 - a. Purposeful damage, destruction or loss of any electronic monitoring equipment.
 - b. Being absent without leave from an alternative to secure detention placement or program.
7. Documentation of all sanctions, actions, and/or charges in the youth's Individual Client Record (ICR) in compliance with DJJPP 705 and 705.2.
- B. If a youth is returned to the secure detention facility due to a violation of the conditions of alternative placement and believes the return is unjustified, a grievance may be filed in accordance with DJJPP 706.

V. MONITORING MECHANISM

The Detention Alternative Coordinator and the Divisions of Placement Services and Program Services shall monitor compliance with this policy.